

IN THE DRAWINGS

The attached sheet of drawing includes changes to Fig. 10. This sheet, which includes Fig. 10, replaces the original sheet including Fig. 10.

Attachment: Replacement Sheet (1 sheet)

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 3-5, 9, 10, and 12, and 21 and 22 are pending in the present application. Claims 3-5, 9, 10, and 12 are amended, Claims 1, 2, and 13-20 are canceled without prejudice, and Claims 21 and 22 are added by the present amendment.

In the outstanding Office Action, Claims 1, 2, and 13-20 were rejected under 35 U.S.C. § 102(b) as anticipated by Sin et al. (U.S. Patent No. 6,803,615, herein "Sin"); Claims 3-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Sin in view of Ooishi et al. (U.S. Patent No. 6,757,191, herein "Ooishi"); and Claims 9-12 were indicated as allowable if rewritten in independent form.

Applicants thank the Examiner for the indication of allowable subject matter. In view of this indication, Claims 9, 10 and 12 have been rewritten to include the features of their base claim and any intervening claims. No new matter has been added. Accordingly, it is respectfully submitted that independent Claims 9, 10, and 12 and each of the claims depending therefrom are in condition for allowance.

Figure 10 has been amended to correct a minor informality. No new matter has been added.

Regarding the rejection of Claims 1, 2, and 13-20 under 35 U.S.C. § 102(b) as anticipated by Sin, that rejection is moot because Claims 1, 2, and 13-20 have been canceled.

Regarding the rejection of Claims 3-8 under 35 U.S.C. § 103(a) as unpatentable over Sin in view of Ooishi, independent Claim 3 has been amended to recite features of Claims 1 and 2. The claim amendments find support in now canceled Claims 1 and 2 and, for example, in Figure 10 and its corresponding description in the specification. No new matter has been added.

Briefly recapitulating, amended Claim 3 is directed to a magnetic memory having a plurality of common bit lines and a plurality of memory cells. Each memory cell has at least one cell bit line branched from a corresponding one of the common bit lines, at least one data storage portion, at least one magneto-resistance effect element, and a writing selection transistor. The writing selection transistor is connected at one of a source and a drain thereof with the at least one cell bit line. In a non-limiting example, Figure 10 shows the plurality of common bit lines BL_j, the plurality of memory cells 1, the at least one cell bit line 2, the at least one data storage portion 4, the at least one magneto-resistance effect element 3, and the writing selection transistor 19.

By providing the writing selection transistor in each memory cell of the claimed device, a high density memory is achieved as disclosed in the specification at page 20, lines 12-21.

Turning to the applied art, Sin shows in Figure 2 a magnetic memory that includes a transistor 32. However, the transistor 32 is not a writing selection transistor but a reading selection transistor as specifically disclosed by Sin at column 2, lines 47-54. Therefore, Sin does not teach or suggest a writing selection transistor. In addition, the outstanding Office Action states at page 5, first full paragraph, that “Sin, does not disclose a plurality of common bit lines and cell bit lines, each of the cell bit lines being branched from each common bit line for each memory cell.” The outstanding Office Action relies on Ooishi for teaching the features lacking in Sin.

Ooishi shows in Figure 3 and also in Figure 15 sub-bit lines SBL and common bit lines MBL. In each figure, Ooishi shows that one sub-bit line is branched from a common bit line MBL for each column of memory cells, i.e., each sub-bit line SBL is shared by a plurality of memory cells of the same column. On the contrary, as shown in Figure 10 of Applicants’ specification, the claimed at least one cell bit line 2 is provided for each memory

cell and is not shared with other memory cells of the same column. Therefore, Applicants respectfully submit that the sub-bit line SBL of Ooishi does not correspond to the claimed cell bit line.

In addition, Ooishi does not teach or suggest that each memory cell includes a writing selection transistor which is connected at one of a source and a drain thereof with the at least one cell bit line as required by amended Claim 3.

Accordingly, it is respectfully submitted that independent Claim 3 and each of the claims depending therefrom patentably distinguish over Sin and Ooishi, either alone or in combination.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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